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• Practice Limited to
Federal Agencies

November 21, 2005

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Art Unit 1636

Mail Stop: Amendment

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Appl. No. 10/796,868; Filed: March 10, 2004

For: Recombinational Cloning Using Engineered Recombination Sites

Inventors:

HARTLEY et al.

Our Ref:

0942.285000K/BJD/JKM

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Statement of the Substance of the Interview; and
- 2. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Jeffrey K. Mills Agent for Applicants Registration No. 56,413

BJD/JKM:bac Enclosures

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In re application of:

HARTLEY et al.

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Confirmation No.: 2652

Art Unit: 1636

Examiner: Vogel, Nancy S.

Atty. Docket: 0942.285000K/BJD/JKM

## Statement of the Substance of the Interview

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Further to the Interview Summary mailed to Applicants' representatives on October 20, 2005, Applicants submit the following Statement of the Substance of the Interview.

Applicants' undersigned representative on August 18, 2005. During the interview, Applicant's undersigned representative indicated to the Examiner that Applicants wished to file an Information Disclosure Statement (IDS) in this matter. Applicant's undersigned representative also inquired as to whether the Examiner would be withdrawing the Notice of Allowance mailed on July 15, 2005, in order to reinstitute a double patenting rejection which was previously withdrawn prior to allowance. The Examiner indicated that she would need to consider this and would call back.

The Examiner informed Applicants' undersigned representative via a telephonic message on August 22, 2005 that the Notice of Allowance would not be withdrawn at this time. The Examiner indicated that an IDS could be filed along with a Request for Continued Examination (RCE). The Examiner indicated that if a terminal disclaimer was not also filed

with the RCE, that the first Office Action following the RCE would contain a double patenting rejection. No conclusive agreement was reached.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Jeffrey K. Mills Agent for Applicants Registration No. 56,413

Date: November 21,2005

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